

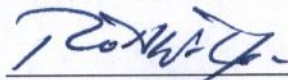
To the Honorable Council
City of Norfolk, Virginia

May 24, 2016

From: George M. Homewood, AICP CFM, Planning Director

Subject: **The closing, vacating and discontinuing of a portion of Nansemond Bay Street**

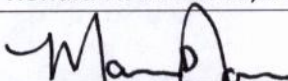
Reviewed:



Ronald H. Williams, Jr., Deputy City Manager

Ward/Superward: 5/6

Approved:



Marcus D. Jones, City Manager

Item Number:

PH-6A

- I. **Staff Recommendation:** Approval
- II. **Commission Action:** By a vote of **7 to 0**, the Planning Commission recommends **Approval**.
- III. **Request:** Closure of a portion of Nansemond Bay Street between the southern line of Pleasant Avenue and the northern line of Jolly Roger Way.
- IV. **Applicant:** Norfolk Redevelopment and Housing Authority
- V. **Description:**
 - The right-of-way to be closed is located entirely within the East Beach Community which is developed with residential and mixed uses.
 - The right-of-way will be incorporated into the site plan for the next phase of development in East Beach.
 - Appropriate utility easements and adjustments related to the proposed closure have been made with the Norfolk Department of Utilities, Dominion Virginia Power, and Verizon.
 - This property, if closed, will convey to the Norfolk Redevelopment and Housing Authority at no cost.
- VI. Staff point of contact: Jeffrey Raliski at 664-4766, jeffrey.raliski@norfolk.gov

Attachments:

- Ordinance
- Staff Report to CPC dated May 28, 2015 with attachments
- Proponents and Opponents

Planning Commission Public Hearing: April 28, 2016

Executive Secretary: George M. Homewood, AICP, CFM *GH*

Staff: Jeffrey K. Raliski, AICP *JR*

Staff Report	Item No. 21	
Applicant	Norfolk Redevelopment and Housing Authority	
Request	Street Closure of Portions of Nansemond Bay Street and Jolly Roger Way	
Site Characteristics	Zoning	PD-MUEB (East Beach Planned Development Mixed Use)
	Neighborhood	East Beach
	Character District	Downtown
Surrounding Area	North	PD-MUEB
	East	PD-MUEB
	South	PD-MUEB
	West	C-3 (Retail Center District)



A. Summary of Request

- This agenda item is to close portions of Nansemond Bay Street between the southern line of Pleasant Avenue and the northern line of Jolly Roger Way and Jolly Roger Way between the eastern line of Shore Drive and the western line of 23RD Bay Street.
- The rights-of-way to be closed is located entirely within East Beach community which is developed with residential and mixed uses.
- The property will be incorporated into the site plan for the next phase of commercial development in East Beach.
- Appropriate utility easements and adjustments related to the proposed closures have been made with the Norfolk Department of Utilities, Dominion Virginia Power, and Verizon.

B. Financial Impact

- This property, if closed, will convey to the Norfolk Redevelopment and Housing Authority at no cost.
- The addition of the right-of-way to the adjacent parcels should positively impact the value of these properties.

C. Impact on Surrounding Area/Site

- The right-of-way proposed for closure is not an identified existing or planned pedestrian or bicycle route in Norfolk plans.
- Closure of these rights-of-way will not create additional traffic in the East Beach community.

D. Civic League

- Letter was mailed to the East Beach Civic League President on March 16, 2016.

E. Community Outreach/Notification

- Letters were mailed to all property owners within 300 feet of the property on April 13.
- Legal notification was placed in *The Virginian-Pilot* on April 14 and April 21.

F. Recommendation

Staff recommends that the proposed closure of portions of Nansemond Bay Street and Jolly Roger Way be **approved**.

Attachments

- Location Map
- Zoning Map
- Civic League Letter

PROPONENTS


Lance Jackson
4459 Pleasant Avenue
Norfolk VA 23518

Mr. Jeffrey P. Huentelman, P.E.
Land Planning Solutions
1403 Greenbrier Parkway, Suite 205
Chesapeake, Virginia 23320

OPPONENTS

Kelly A. Brown (by E-Mail)
9536 23rd Bay Street
Norfolk VA 23518

Form and Correctness Approved

By 
Office of the City Attorney

 Contents Approved:

By 
DEPT. Planning

NORFOLK, VIRGINIA

ORDINANCE No.

AN ORDINANCE CLOSING, VACATING AND DISCONTINUING A PORTION OF NANSEMOND BAY STREET FROM THE SOUTHERN LINE OF PLEASANT AVENUE TO THE NORTHERN LINE OF JOLLY ROGER WAY; AND AUTHORIZING THE CITY MANAGER TO ACCEPT THE CONVEYANCE OF A VARIABLE WIDTH UTILITY EASEMENT BY THE NORFOLK REDEVELOPMENT AND HOUSING AUTHORITY.

- - -

WHEREAS, pursuant to the provisions of Section 15.2-2006 of the Code of Virginia, 1950, as amended, the City Council has the authority to close, vacate and discontinue public rights of way; and

WHEREAS, an application has been received from the Norfolk Redevelopment Housing Authority ("NRHA") for the closure of a portion of Nansemond Bay Street from the southern line of Pleasant Avenue to the northern line of Jolly Roger Way, as described in Exhibit A and shown on Exhibit B, attached to and made a part of this ordinance; and

WHEREAS, after a public hearing, the City Planning Commission recommended that the said portion of Nansemond Bay Street be closed, vacated and discontinued; and

WHEREAS, the City requires a utility easement, variable in width, as described in Exhibit C and shown on Exhibit B attached

hereto, which easement NRHA has agreed to convey to the City; and

WHEREAS, the requirements of Section 15.2-2006 of the Code of Virginia, 1950, as amended, and Sections 42-212 and 42-213 of the Norfolk City Code, 1979, which relate to the vacation of public rights of way, have been met; and

WHEREAS, after a public hearing duly held, it is the judgment of the Council that the said portion of Nansemond Bay Street is not needed for public use and travel and should be closed, vacated and discontinued as a public street of the City of Norfolk; now therefore,

BE IT ORDAINED by the Council of the City of Norfolk:

Section 1:- That the portion of Nansemond Bay Street from the southern line of Pleasant Avenue to the northern line of Jolly Roger Way, as more particularly described in Exhibit A and shown on Exhibit B, attached hereto, is closed, vacated and discontinued as a public street of the City of Norfolk.

Section 2:- That in consideration of the conveyance of a utility easement by the NRHA as described in Exhibit C and shown on Exhibit B, which the City Manager is authorized to accept on behalf of the City, and consistent with City policy regarding the closure of certain streets, the requirements of Section 42-212 of the Norfolk City Code, 1979, are hereby waived.

Section 3:- That upon the effective date of this ordinance, a certified copy shall be recorded in the Clerk's Office of the Circuit Court of the City of Norfolk as deeds are recorded.

Section 4:- That this ordinance shall be in effect from and after thirty (30) days from the date of its adoption.

EXHIBIT A TO ORDINANCE

Closure of a Portion of Nansemond Bay Street

An irregular-shaped lot, piece or parcel of land situate, lying and being in the City of Norfolk, Virginia, said parcel being further described as follows: COMMENCING at a point that is the southeastern corner of Lot 7-64, Phase Seven, being shown on that certain plat entitled, "Subdivision of East Beach Phase Seven"; said plat being duly recorded in the Clerk's Office of the Circuit Court of the City of Norfolk, Virginia in Map Book 72, Page 92, indexed as Sheet 7 of 10; thence, from the point of commencement running along the northern right of way line of Jolly Roger Way, N80°-57'-42"W, 63.50 feet to a point; said point being the Point of Beginning; thence, continuing in a westerly direction along the northern line of Jolly Roger Way along a bearing of N78°-30'-08"W, 51.05 feet to a point on the western line of Nansemond Bay Street; thence along a bearing of N09°-02'-18"E, 38.25 feet to a point; thence, turning along the western line of Nansemond Bay Street in a northerly direction along a curve to the left having a radius of 119.50 feet and an arc length of 23.54 feet to a point; thence, along a bearing of N02°-14'-57"W, 152.77 feet to a point; thence, along the southern right-of-way of Pleasant Avenue a bearing of N77°-05'-39"E, 51.90 feet to a point on the eastern line of Nansemond Bay Street; thence, along a bearing of S02°-14'-57"E, 162.37 feet to a point; thence, turning along the eastern line of Nansemond Bay Street in a southerly direction along a curve to the right having a radius of 170.50 feet and an arc length of 33.59 feet to a point; thence, continuing in a southerly direction along a bearing of S09°-02'-18"W, 40.44 feet to the Point of Beginning, all as shown on that certain exhibit entitled "Street Closure Exhibit for Resubdivision of a Portion of Subdivision of East Beach Phase Seven" dated August 19, 2015, and indexed as Sheet 1 of 3.

The above-described parcel contains 0.264 acre of land, more or less.

November 25, 2015

EXHIBIT B TO ORDINANCE

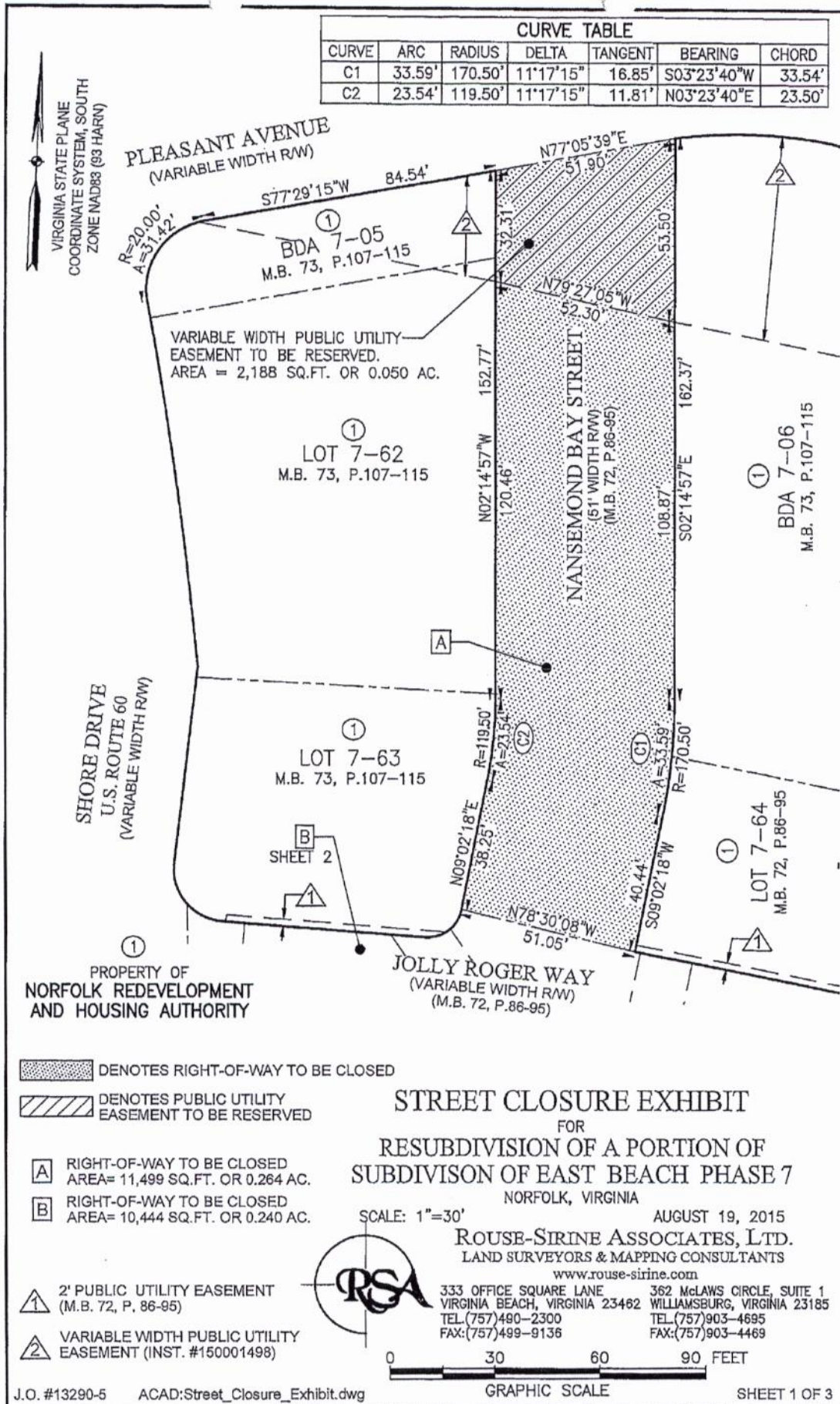


EXHIBIT C TO ORDINANCE

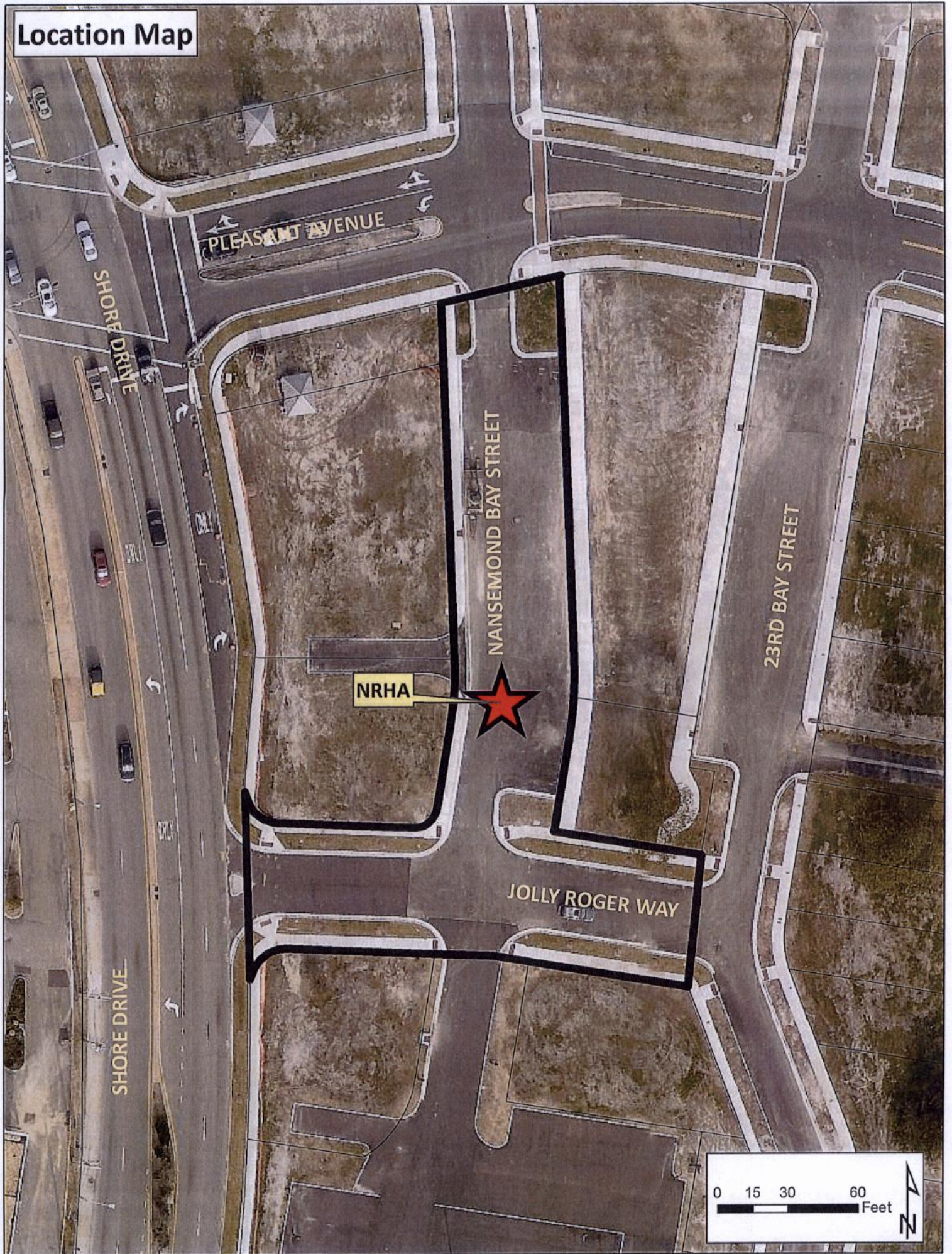
Variable Width Utility Easement to be conveyed to the City of Norfolk on Nansemond Bay Street

An irregular-shaped lot, piece or parcel of land situate, lying and being in the City of Norfolk, Virginia, said parcel being further described as follows: COMMENCING at a point located on the northern line of Lot BDA 7-05, Phase Seven, being shown on that certain plat entitled, "Resubdivision of a Portion of Subdivision of East Beach Phase Seven"; said plat being duly recorded in the Clerk's Office of the Circuit Court of the City of Norfolk, Virginia in Map Book 73, Page 113, indexed as Sheet 7 of 9; thence, from the point of commencement running along the southern right-of-way line of Pleasant Avenue, N77°-29'-15"E, 84.54 feet to a point; said point being the Point of Beginning; thence, continuing in an easterly direction along the southern line of Pleasant Avenue along a bearing of N77°-05'-39"E, 51.90 feet to a point on the eastern line of Nansemond Bay Street; thence, along a bearing of S02°-14'-57"E, 53.50 feet to a point; thence, crossing Nansemond Bay Street in a westerly direction along a bearing of N79°-27'-05"W, 52.30 feet to a point; thence, along the western right-of-way of Nansemond Bay Street a bearing of N02°-14'-57"W, 32.31 feet to the Point of Beginning, all as shown on that certain exhibit entitled "Street Closure Exhibit for Resubdivision of a Portion of Subdivision of East Beach Phase Seven" dated August 19, 2015, and indexed as Sheet 1 of 3.

The above-described parcel contains 0.050 acre of land, more or less.

December 2, 2015

Location Map



NRHA

NANSEMOND BAY STREET

23RD BAY STREET

JOLLY ROGER WAY

SHORE DRIVE

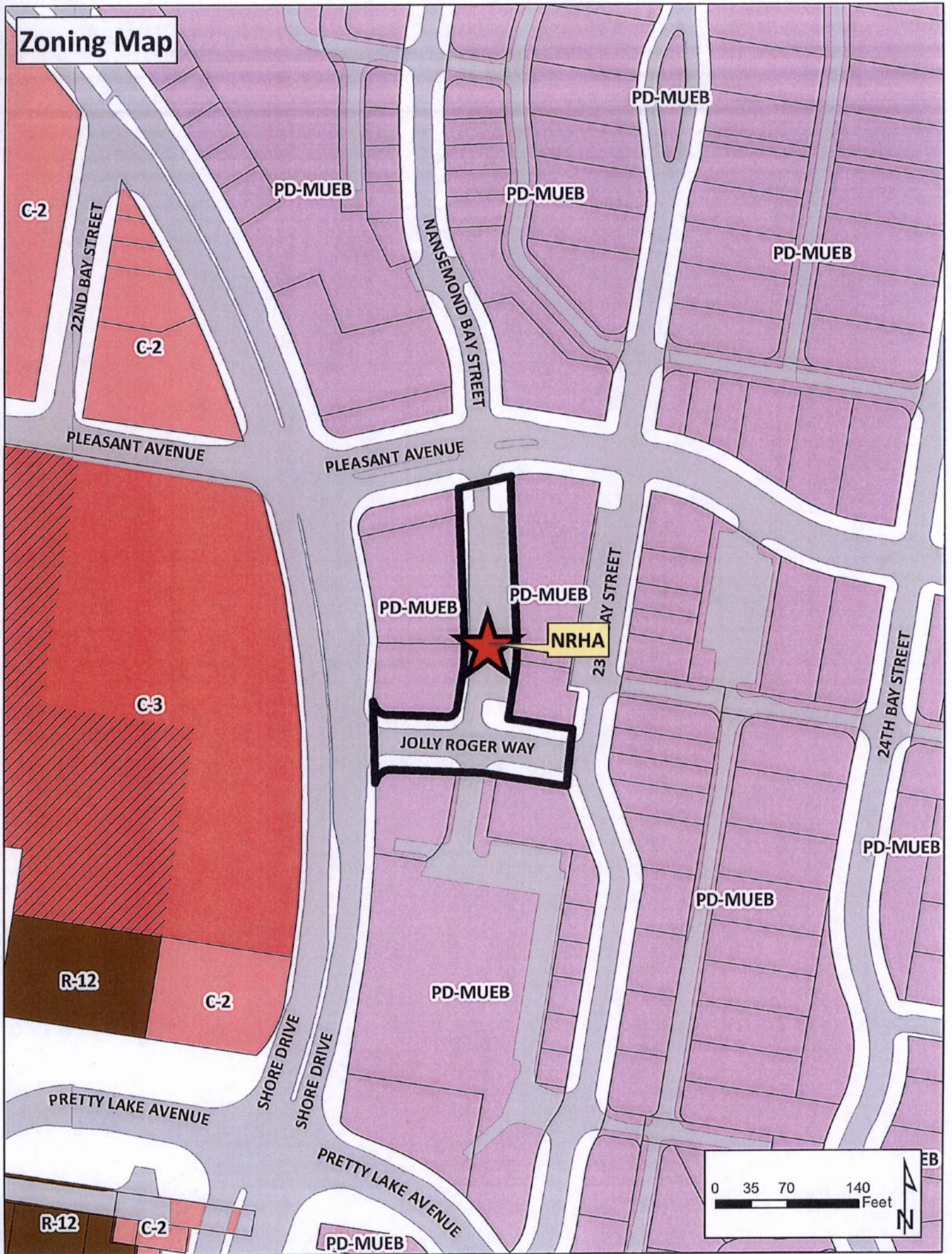
PLEASANT AVENUE

SHORE DRIVE

0 15 30 60 Feet



Zoning Map



Raliski, Jeffrey

From: Straley, Matthew
Sent: Wednesday, March 16, 2016 2:35 PM
To: greenie4720@yahoo.com
Cc: Smigiel, Thomas; Winn, Barclay; Ransom, Carlton; Raliski, Jeffrey
Subject: new Planning Commission application
Attachments: NRHA_StreetClosure.pdf

Mr. Greene,

Attached please find the application for the following street closures:

1. That portion of Nansemond Bay Street between the southern line of Pleasant Avenue and the northern line of Jolly Roger Way, as shown on the plat entitled, "Subdivision of East Beach, Phase 7," said plat being prepared by Rouse-Sirine Associates, Ltd., a surveying firm in Virginia Beach, Virginia, said plat being dated July 9, 2014, said plat being duly recorded in the Clerk's Office of the Circuit Court of the City of Norfolk, Virginia in Map Book 73, Pages 107-115.
2. That portion of Jolly Roger Way between the eastern line of Shore Drive and the western line of 23RD Bay Street, as shown on the plat entitled, "Subdivision of East Beach, Phase 7," said plat being prepared by Rouse-Sirine Associates, Ltd., a surveying firm in Virginia Beach, Virginia, said plat being dated July 9, 2014, said plat being duly recorded in the Clerk's Office of the Circuit Court of the City of Norfolk, Virginia in Map Book 73, Pages 107-115.

The purpose of the requests is to allow for the properties to be consolidated to provide for a larger site capable of sustaining commercial development upon the site.

The item is tentatively scheduled for the April 28, 2016 Planning Commission public hearing.

Staff contact: Jeff Raliski at (757) 664-4766, jeffrey.raliski@norfolk.gov

Thank You.

Matthew Straley
GIS Technician II


City Planning
810 Union Street, Suite 508
Norfolk, VA 23510
757-664-4769

Connect with us:
www.norfolk.gov



Raliski, Jeffrey

From: Kelly Brown <rkjabrown@gmail.com>
Sent: Thursday, April 28, 2016 12:49 PM
To: Raliski, Jeffrey
Subject: Planning Meeting Today

Hello,

I am not able to attend the planning meeting today. There is a street closure Request #21 that I would like to submit my disapproval for. Closing the named streets to allow for consolidation of properties to enable commercial development without having specific details as to the commercial development does not seem reasonable. As an nearby property owner, I am concerned with the affect on traffic on 23rd Bay Street for patrons of any such commercial business. The larger the commercial development, the larger the traffic flow resulting therefrom.

I am not opposed to commercial development of the property outright but would like for the alternative to be considered in conjunction with an actual commercial use proposal.

Sincerely,
KELLY A. BROWN
9536 23rd Bay Street
Norfolk, VA 23518